

JUNE 21, 2016

The Town Council met in regular session at the Town Hall at 8:00 a.m.

The Pledge of Allegiance was led by President Blaylock.

Present were: BLAYLOCK, ALSOP, FLANDERS, WADE, and WATSON along with Clerk-Treasurer Karla Atkins and Attorney Thomas Clowers.

The following visitors were present: Dan Barton, David & Carlene VanLaningham, Lois Gray, Don Travelstead, Brett Slayden, Patricia Gosh, Eric Parsley, Mike Duckworth, Josh Riedford, Karen Walker, Don Alsop, Tony Treadway, Loretta Gerard, Dan Busler, Bobby Grider, Kris Scarafia, and Caleb McDaniel.

Councilman Wade made and Watson seconded a motion the minutes of the previous regular meeting be approved. All were in favor. Motion carried.

Councilman Watson made and Wade seconded a motion the minutes of the May 17, 2016, Special Meeting be approved. All were in favor. Motion carried.

Councilman Watson made and Alsop seconded a motion the Executive Session Memorandum for May 19, 2016, be approved. All were in favor except Councilman Flanders. Motion carried.

Gas/street superintendent Bobby Grider reported he had ordered the parts for the pressure protection to be installed at the Town's regulator station. Due to the estimated amount of time to get the parts, this needed to be done to ensure the installation can be done during low usage months.

Councilman Watson introduced the new Town Marshal, Caleb McDaniel.

Councilman Wade reported the phosphorus removal project is proceeding as scheduled.

Councilman Flanders announced new LED lighting will be installed at Murphy Park to replace those not working.

Councilman Flanders thanked Girl Scout Troop 151 for placing the flags on the veterans' graves at Maple Hill Cemetery. He also thanked Tri-Kappa and community volunteers for collecting donations.

Councilman Flanders reported he had lowered the flags to half staff at the cemetery twice based on a declaration made by President Obama in response to the massacre in Orlando, Florida. Both times, someone had come along behind him and raised them back up. He apologized for the inconsistency and stated he hoped it wasn't seen as a sign of disrespect.

President Blaylock reported the Workingmen's Institute has submitted a proposal to the Town containing conditions regarding the possible transfer of the former school property.

Don Travelstead requested a waiver of the monthly sewer fee at 825 Steammill. Councilman Watson made and Flanders seconded a motion that a sewer fee waiver be granted for 825 Steammill St. All were in favor. Motion carried.

President Blaylock reported festival applications have been received for the Golden Raintree Antique Show and Arts in Harmony. Both applications were approved. Councilman Wade made and Watson seconded a motion the street closure request for Arts in Harmony be approved. All were in favor. Motion carried.

President Blaylock announced the New Harmony Recycling Center is now open on Wednesdays from 2 p.m. to 6 p.m., and Saturdays from 9 a.m. to Noon.

President Blaylock read Ordinance 2016-7 in title only. This ordinance corrects the issue with the number of passengers for golf carts with three versus two benches, and increases the registration fee. Councilman Wade made and Alsop seconded a motion that Ordinance 2016-7 be adopted. All were in favor. Motion carried.

President Blaylock read Ordinance 2016-8 in title only. This ordinance amends the ordinance which regulates animals running at large. Councilman Flanders asked President Blaylock to clarify which types of animals the ordinance covers, to which he responded it is mainly for dogs. Councilman Flanders suggested the ordinance be amended to read "dogs" instead of "animals". Councilman Wade feels the ordinance should stay as it currently reads. Councilman Watson made and Wade seconded a motion that Ordinance 2016-8 be adopted. All were in favor except Councilman Flanders. Motion carried.

President Blaylock read Ordinance 2016-9 in title only. This amends the Town's current ordinance regarding the prohibition of cross connections by the water utility. President Blaylock stated he will work with Jeremy Farrar, the Town's certified operator, to see how many cross connection devices need to be installed and give the property a 120 day time limit on getting the device installed. Councilman Watson made and Wade seconded a motion that Ordinance 2016-9 be adopted. All were in favor. Motion carried.

President Blaylock read Ordinance 2016-10 in title only. This ordinance concerns the new internal control standards mandated by the State Board of Accounts. Councilman Watson made and Alsop seconded a motion that Ordinance 2016-10 be adopted. All were in favor. Motion carried.

Councilman Flanders presented a quote from Wabash Valley Tree Service for \$3,600. to address eight trees at Maple Hill Cemetery. Some will be removed, while others will be trimmed. Councilman Flanders made a motion that the trees be removed/trimmed for \$3,600. Councilman Wade stated he feels four of the trees need addressed, but he would like to look at the others to make a determination. President Blaylock commented he feels three of the trees need trimmed, and he would like to hold off on the other five at this time. Councilman Flanders pointed out Jim Brown had given his expert opinion on several of the trees, stating they are hollow and could be potential problems. Councilman Flanders amended his previous motion to state that trees identified as one, two, and three on the attached map be trimmed. Councilman Alsop asked if only one quote was obtained. Councilman Flanders stated he is happy to get a second quote, but he does not feel the prices for this are out of line with those paid for other tree work. Councilman Wade seconded the motion. All were in favor except Councilman Alsop. Motion carried.

Clerk-Treasurer Atkins thanked all those who helped collect donations at Maple Hill Cemetery. The total collected was \$2,483.67. There have been additional donations of \$4,200. received at the Town Hall.

President Blaylock reported the roof at the old Fire Station will be replaced by Midwest Cool Roofs. Due to the roof being damaged by hail, it will be covered by insurance less a \$1,000. deductible.

Carlene VanLaningham expressed concern over the condition of the property at 624 South St.. The property has been abandoned and the weeds are getting out of control. There is also a window broken out in the back of the structure. President Blaylock stated the property is on the agenda and will be discussed later in the meeting.

Pat Gosh reported the Torch Bearer relay will be coming through New Harmony on September 11. The estimated time of arrival is 10 a.m. The torch bearers have been selected, and a public announcement will be made soon.

Tony Treadway, on behalf of the New Harmony Farmer's Market, informed Council of the possibility of them changing locations next year. They are considering moving to Main Street between Church and Granary Streets. He will report back once a final decision is made.

Josh Riedford, with the company Mr. Pictures, spoke to Council about their plans to film some scenes in New Harmony for a movie they are making. He asked about the possibility of closing some streets toward the end of October. President Blaylock stated when more information is available regarding which streets they would like to close and the dates, to present it to Council.

Councilman Flanders presented a resolution declaring 629 South St. a nuisance. He stated he has spoken to the owner, Michelle Young, and she stated she does not believe she owns the property. However, the Posey County Auditor's Office still shows she is the titled owner. Councilman Flanders stated per Town ordinance, once the Council declares the property to be a nuisance, a letter is sent to the property owner, who then has ten days to abate the nuisance. If the property owner fails to take action, the Town may then take action to have the nuisance abated, with any costs then attached to the property as a lien. Councilman Flanders made and Wade seconded a motion to adopt the resolution declaring the property at 629 South St. as a nuisance. Councilman Wade asked if the Town cleans the property, would it get the money back for the expense. Councilman Flanders stated if the property is transferred or if Ms. Young chooses to pay the cost, the lien would then be satisfied. The situation is clouded by the fact that Ms. Young filed Chapter 13 bankruptcy. Also, the mortgage holder, USDA Rural Development says it has no interest in the property because they feel its value is zero. Attorney Clowers stated that unless the property has been legally transferred, the Council has the right to take action against Ms. Young, regardless of the bankruptcy. Councilman Watson asked what the Town plans to do to the property and how much will be spent. Councilman Flanders stated he believes the neighbors are deserving of a nice neighborhood, and due to the failure of the property owner to take action, the Town should intervene as the process allows. He stated Council could set a limit as to what it spent on the clean-up. Attorney Clowers offered to look into a long-term solution to the problem. After some discussion, it was noted the Town ordinance allows the Town to enter the property and abate the nuisance, once the other procedures are followed. Attorney Clowers pointed out the ordinance requires the Town to take action if the

property owner fails to act within ten days. The following vote was taken: ayes – Flanders; nays – Blaylock, Alsop, Wade, and Watson. Motion failed. Councilman Flanders stated if the previous motion passed, he would move that the Town proceed with abating the nuisance at 629 South St. if the property owner fails to do so. Councilman Flanders pointed out he is sure the neighbors of 629 South St. will not be happy and he asked for other suggestions from Council members on how to reduce the nuisance.

President Blaylock reported the WMI has presented a resolution to the Town regarding the former school property. He asked for any comments Council members had on the resolution. He would then like Attorney Clowers to review the resolution. Councilman Flanders questioned if a time period for notification to the Town could be added to the “Fund Raising Period” bullet of the resolution. He suggested a 30-day notification period. Councilman Flanders asked if the “No Waste Shall Be Committed” bullet would limit the Town from allowing others to use the property, such as for parking for festivals. President Blaylock stated he would like to see the WMI pay 100% of the utility costs for the one-year fundraising period, instead of a maximum of \$2,500 per month. He would also like the WMI to pay the start-up fees for the HVAC. President Blaylock pointed out the resolution allows the WMI to terminate the resolution at anytime, but the same option is not afforded the Town. He also questioned if the Town should retain the ball field, as it was not originally included as part of the school property. President Blaylock also would like a statement added to the resolution that requires that all Town ordinances be followed. He asked Council members to consider the “reversion to town” bullet and if that would be the Town’s wish. Councilman Wade stated he agrees that WMI should pay 100% of the utility cost, as well as any maintenance costs for the heating and cooling systems. He would like to see a stipulation regarding the ball field, stating if it is not used within a certain number of years, it will be returned to the Town. Councilman Watson agreed the WMI should pay 100% of the utility costs, plus start up costs for the HVAC. He also feels the Town should be able to terminate the agreement if it chooses. President Blaylock spoke to WMI Trustee Dan Busler, who was in attendance at the meeting, and suggested that a joint meeting be held.

President Blaylock reported he is working with Greg Powell on a new Town Hall sign. Once he receives an estimate, he will bring it to Council.

Councilman Alsop made and Watson seconded a motion the claims be allowed and the Clerk pay the same. All were in favor. Motion carried.

Councilman Flanders asked if the bridge will be on the Council agenda soon. He noted the state of Illinois intends to close two bridges on IL14, just west of the Harmony Way Bridge. President Blaylock agreed to talk to the Town’s bridge committee, and have the topic on the next Council agenda.

Councilman Watson made and Wade seconded a motion that the street name signs be kept uniform and that the directions be left off. All were in favor except Councilman Flanders. Motion carried.

There being no further business, the meeting was adjourned at 9:17 a.m.

Alvin Blaylock, President of Town Council

Attest:

Karla L. Atkins, Clerk-Treasurer